

REMARKS

Upon entry of the foregoing Amendment, claims 1-14 are pending in the application with claims 1, 11, 13 and 14 being the independent claims. Claims 1, 2, 4, 5 and 10 are amended. Claims 11-14 are new. Support for these amendments and new claims may be found in the Specification and Drawings as originally filed. The amendment of claims 4, 5 and 10 are voluntary amendments made to further define the invention, and are not intended to limit the scope of the claims.

Objection to the Drawings

The Examiner indicated that FIGs. 1-4 should be amended to include a legend designating the drawings as prior art. With this response, Applicants submit a Request for Approval of Drawing Change with proposed drawing changes indicated in red on copies of the originally filed drawings. The proposed changes amend FIGs. 1-4 to add a legend designating the figures as prior art.

Rejections under 35 U.S.C. § 102

The Examiner rejected claims 1-3, 6 and 7 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,857,728 to Crotty, III. Claim 1 recites a vehicle body mounting bracket for fixing an auxiliary machinery to a panel in a vehicle body side. The mounting bracket includes a first bracket arranging and supporting the auxiliary machinery to one side and a shaft supporting portion protruded from the first bracket and fitting a fixed shaft supporting the auxiliary machinery to another side. The first bracket also includes an engaging portion formed near a peripheral wall portion of the shaft supporting portion. The mounting bracket also includes a second bracket holding

the first bracket. The second bracket includes an engagement portion adapted so that the engaging portion is slidably inserted into the engagement portion. The second bracket also includes fixing means fixing the first bracket and the second bracket to the panel.

Crotty, III discloses an inner bracket 210 and an outer bracket 160. The inner bracket 210 includes a tubular body 225 with upstanding prongs 214-216. Camming rims 230-232 are situated proximate the top of prongs 214-216. See Crotty, III, column 5, line 60-column 6, line 2. The outer bracket 160 includes locking fingers 180-182 that include ramps 184-186 used for camming inner bracket member 210 into an assembled position. See Crotty, III, column 5, lines 4-6.

In use, camming rims 230-232 of body prongs 214-216 ramp up camming ramps 184-186 of locking fingers 180-182. See Crotty, III, column 7, lines 58-61. Inwardly slanted surfaces 179 on the locking fingers 180-182 aid in this camming action by engaging the radially outer perimeter surface of rims 230-232 during the ramping up of the prongs. See Crotty, III, column 7, line 65-column 8, line 2. However, Crotty, III does not disclose all the features of independent claim 1.

Claim 1 recites "an engagement portion adapted so that the engaging portion is slidably inserted into the engagement portion." Crotty, III fails to disclose an engagement portion as recited in claim 1. Instead, Crotty, III discloses sliding the camming rims 230-232 up camming ramps 184-186 on the ends of the locking fingers 180-182. Neither the camming rims 230-232 nor the locking fingers 180-182 of Crotty, III are adapted so that an engaging portion may be "slidably inserted into" the

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engagement portion, as recited in claim 1. Accordingly, claim 1 is not anticipated by Crotty, III. Applicants respectfully request that the Examiner withdraw the rejection.

Claims 2, 3, 6 and 7 depend from and add additional features to independent claim 1. As such, these claims are also allowable for at least the reasons set forth above. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection and allow these claims.

Rejections under 35 U.S.C. § 103

The Examiner rejected claim 8 under 35 U.S.C. § 103 as being unpatentable over Crotty, III in view of U.S. Patent No. 5,857,728 to Jacquemin *et al.* Claim 8 depends from and adds additional to independent claim 1. The Examiner relies on Crotty, III for teaching all the features of claim 1. The Examiner relies on Jacquemin for the teaching of a body protruding obliquely upward, as recited in claim 8. However, as set forth above, Crotty, III does not teach an engagement portion adapted so that the engaging portion is slidably inserted into the engagement portion, as recited in claim 1. Jacquemin does not cure this deficiency.

Jacquemin discloses a base body 1 having two locking elements V connected thereto. The locking elements V consist of a leg 10 and an obliquely descending leg 11. A seating dome 3 is disposed on the base body so that one leg 10 and one leg 11 face the seating dome. See Jacquemin, column 4, lines 8-19. However, Jacquemin fails to teach or suggest an engagement portion adapted so that the engaging portion is slidably inserted into the engagement portion, as recited in claim 1.

Neither Crotty, III nor Jacquemin, alone or in combination, teaches or suggests the features recited in claim 1. Accordingly, claim 1 is patentable over these references.

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Claim 8 depends from and adds additional features to independent claim 1. Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

Allowable Subject Matter

The Examiner indicated that claims 4, 5, 9 and 10 would be allowable if rewritten in independent form to include all the features of the base claim and intervening claims. Applicants have rewritten claims 4, 5, 9 and 10 as new claims 11-14, respectively. The new claims 11, 12 and 14 differ from original claims 4, 5 and 10 only to more clearly define the subject matter of the invention. Applicants respectfully request that the Examiner allow these claims.

Conclusion

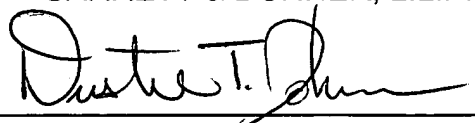
In view of the foregoing amendments and remarks, Applicant respectfully requests that the Examiner reconsider and allow the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claims 11-14 are new.

Claims 1, 2, 4, 5 and 10 are amended as follows:

1. (Amended) A vehicle body mounting bracket for fixing an auxiliary machinery to a panel in a vehicle body side, comprising:
 - a first bracket arranging and supporting said auxiliary machinery to one side;
 - a shaft supporting portion protruded from said first bracket and fitting a fixed shaft supporting said auxiliary machinery to another side;
 - an engaging portion formed near a peripheral wall portion of said shaft supporting portion;
 - a second bracket holding said first bracket;
 - an engagement portion adapted so that the engaging portion is slidably inserted into the engagement portion [which is formed on said second bracket and with which said engaging portion is engaged by assembling said first bracket]; and
 - fixing means fixing said first bracket and said second bracket to said panel.
2. (Amended) A bracket for mounting an auxiliary machinery to a vehicle body according to claim 1, further comprising:
 - an opening portion which is formed in said second bracket and to which said shaft supporting portion is inserted; and

a guide holding plate forming the engagement portion [to which said engaging portion is slidably inserted], in a peripheral edge portion of said opening portion.

4. (Amended) A bracket for mounting an auxiliary machinery to a vehicle body according to claim 3, wherein said engaging portion [is] includes a guide portion protruding to a side portion of said shaft supporting portion, and said engagement portion is a guide groove formed in said guide holding plate.

5. (Amended) A bracket for mounting an auxiliary machinery to a vehicle body according to claim 4, wherein said engaging portion [is] also includes a step portion formed below said guide portion and engaging with said [engaging] locking projection.

10. (Amended) A bracket for mounting an auxiliary machinery to a vehicle body according to claim 1, further comprising a spacer piece formed in one of said first bracket and said second bracket and brought into contact the other [another bracket] of said first and second brackets so as to keep a predetermined distance with respect to said other [bracket] of said first and second brackets.

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